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FAX TRANSMITTAL

TO: Examiner Hung T. Vy

COMPANY: United States Patent and Trademark Office

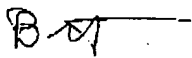
FROM: Brian N. Tufte

RE: U.S. Patent Appln. No.: 09/577,034
SYSTEM AND METHOD FOR VCSEL POLARIZATION
CONTROL
Filed: May 23, 2000
Docket No.: M40 26373 US (1139.1110101)

DATE: March 27, 2003

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COMMENTS: Communication confirming telephonic interview with
Examiner on March 27, 2003 re: reference not initialed by
Examiner on Supplemental Information Disclosure Statement. 

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James K. Guenter et al. Examiner: Hung T. Vy
Serial No.: 09/577,034 Group Art Unit 2828
Filed: May 23, 2000
For: SYSTEM AND METHOD FOR VCSEL POLARIZATION CONTROL
Docket No.: 1139.1110101 (M40 26373 US)

#10

COMMUNICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

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Type or print name of person signing certification.

Brian N. Tufte

Date

March 27, 2003

Dear Sir:

The undersigned would like to thank the Examiner for the courtesies extended during the telephonic interview on March 27, 2003. During that interview, the undersigned noted that one of the references listed on the PTO-1449 filed with the Supplemental Information Disclosure Statement of April 25, 2002 was not initialed by the Examiner. The reference is "p.r. claisse, ET AL.; "Automatic Power Control of a VCSEL Using an Angled Lid T056 Package"; published presentation from Electronic Components & Technology Conference; 1998, 48th IEEE Seattle, WA. The Examiner apparently did not initial this reference because the month was not provided on the PTO-1449.

Appln. No. 09/577,034

For publications, MPEP § 609 states "[T]he date of publication supplied must include at least the month and year of publication, except that the year of publication (without the month) will be accepted if the applicant points out in the information disclosure statement that the year of publication is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the particular month of publication is not in issue. In the present case, the non-initialed reference has a listed date of 1998, and the filing date of the present application is May 23, 2000. Thus, the year of publication is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the particular month of publication is not in issue.

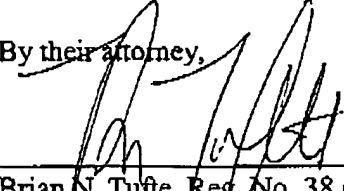
Pursuant to the Examiner's request during the interview, attached hereto is a copy of the initialed PTO-1449 as received by Applicants, and a clean copy of the PTO-1449 for the Examiner's initials. The Examiner indicated that he would consider the reference, initial the PTO-1449, and provide a copy of the PTO-1449 to the Applicants in due course. If a telephone conference might be of assistance, please contact the undersigned attorney at 612-677-9050.

Respectfully submitted,

James K. Guenter et al.

By their attorney,

Dated: March 27, 2003



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